IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL MISC. APPEAL No. 176 of 2005

HAKIM KHAN & ORS
V/S
OMPRAKASH & ORS

Mr. BK MEHAR, for the appellant / petitioner

Date of Order : 16.3.2005

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant.

It is contended that the amount awarded is inadequate. I have perused the finding of the learned trial Court. While deciding issue No.4, in para 18 onwards, the learned trial Court has discussed the evidence about income, and has assessed the income of the deceased at Rs.2000/- per month. Learned counsel read to me the evidence of the claimants, and all that has been deposed therein is that deceased was carrying on the business of sheep and goat (भेड़ बकरी खरीदने बेचने का कार्य करता था). With this, it has been deposed that he was earning Rs.5000/- per month. Then the witness was cross-examined in detail, and no tangible material is there on record on the basis of which, the bare word of mouth could be accepted on the face value. So much so that even broad details are not given, as to what was the magnitude of the business, how much cattle were handled, and so on. In such circumstances, I do not find any error in the finding recorded about the income to be Rs.2000/-. Learned counsel has not been able to show, as to how the multiplier employed, or the other amounts assessed, require interference by this Court.

The appeal thus has no force, and is dismissed summarily.

(N P GUPTA),J.

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